



**REGULAR MEETING
MINUTES OF ACTIONS
Wednesday, January 25, 2012
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:30 PM

PLEDGE

Case Review Roll Call

Rotker	Smith	Johnson	Brandriff	VACANT	Jackson	Roberts	Santore	Adams
✓	O	✓	B		✓	✓	✓	✓

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early **■** = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

There was no public comment regarding closed session items.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:05 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	11-022	PC-11-05027

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

Audio for the following proceedings is available on the CPRC website: www.riversideca.gov/cprc

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Smith	Johnson	Brandriff		Jackson	Roberts	Santore	Adams
✓	O	✓	B		✓	✓	✓	✓

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Mary Shelton said that the procedure for public comment needed to be clarified; she also said she was glad that a commissioner had asked for the Early Warning System to be agendized.

Mr. Hauptmann advised Ms. Shelton that the public comment procedure had been clarified and that the public comment instructions on the agenda had been modified accordingly.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) December 14 Regular Meeting	Rotker	Adams	Unanimous	0	0
B) January 11 Case Review / Training / Special Meeting	Rotker	Johnson	Unanimous	0	0

RPD Briefing

A) Preliminary briefing on the officer-involved death of David Ledezma on January 7, 2012

Asst. Chief Chris Vicino briefed the Commission on the Ledezma incident. (The audio, along with the slide show presentation, is available on the CPRC website.)

B) Update on the Millon OID

Asst. Chief Chris Vicino advised that the Millon case had not yet gone to the District Attorney's office, but that it would be sent soon.

Nicholas Ron, son, said his father wasn't a threat to police officers.

Valerie Hernandez, daughter, said there is a new witness to the incident.

Linda Ledezma, sister-in-law, said that witness stories were different from what was told by RPD. She said that 18 shots were fired; two hit him in the stomach, two in his legs. She alleges that Mr. Ledezma bled to death because officers failed to call for medical aid. She also spoke of the unnecessary search of her nephew and two female officers who “flipped off” kids holding signs for a car wash for the family.

Rebecca Ledezma, wife, said the officers should be put in jail and asked what is going to be done with them.

Yvette Ledezma, daughter, said the officers wouldn't let her go near Mr. Ledezma after he was shot even though he kept asking for water; the officers wouldn't provide medical aid and that they wouldn't let medical aid come on the scene. She said that the officers need to go to jail; her father didn't deserve to be killed.

Raul Hernandez said that three officers shot 18 times and that the officers abused their authority. He also said that not all of Mr. Ledezma's personal belongings have been returned to family: some items have been returned, but his wallet and other items have been kept and RPD won't tell them why. He said that if he sees someone beating their wife, he won't call the police because he would be reminded of this situation.

Jacob Ledezma, nephew, said his uncle was murdered; that the officers should have used less lethal methods. He said he is going to college to become a teacher because of his uncle. He wants the officers to be put in jail; wants justice for his uncle.

Yvonne de la Cruz, god-daughter, said she had called the police that day. She said she didn't understand how Taser wasn't effective; the officers didn't give it a chance to be effective. She said the officers are not accepting responsibility. She wants them to take responsibility and tell the truth.

Ramundo Ledezma, brother, said officers cheated Mr. Ledezma out of eight more years of life. He said his youngest son had an emotional break-down over incident; that his son had wanted to be on SWAT, but now he was unsure what he wants to do. If other people had done this, they'd be in jail right now. He said he learned that the involved officers were young; where was the senior officer? He said there are good officers, but that these officers need to go to jail.

Carline Ledezma, grand-daughter, said it was RPD's fault for shooting him; she also said RPD didn't have to break down a door to search for weapons. She said that anyone else involved in a shooting like that would be in jail and she wants justice.

Mary Shelton thanked RPD for the presentation and also thanked the family speakers. She asked what steps the Commission had taken to start its parallel investigation on the case.

She said that RPD is a young department and that efforts have been made to get more experienced officers. She expressed concern about inclusion of an explorer on this type of incident and concern about the Taser and asked for the sequence of events from Taser the failure. Other questions she had were the Taser being fired and an officer stumbling; the number of shots fired, how many struck the suspect.

Christina Duran asked how much training the officers had in domestic violence; how long the officers have served; why wasn't a mental health worker called; are any of the officers listed in the Early Warning System; why didn't the officers wait for backup; did the officers feel threatened by family members.

Outreach

A) December / January Outreach

Commissioner Adams participated in the MLK Walk-a-Thon in January, as did Commissioner Johnson.

Commissioner Johnson

- thanked commissioners for participating in "Smiles for Kids" in December, noting that he helped with distribution;
- commented on the huge crowd at the MLK walk,
- noted that CIONO is having "Free Shop Day" on January 26 and that information about the event is noted on the CPRC website.

Commissioner Rotker made a 15 minute presentation at an RPD Roll Call prior to a ride-along.

Vice-Chair Roberts said she participated in "Smiles for Kids" in December.

B) Scheduled Outreach Events

There were no scheduled outreach events.

C) Future Outreach Opportunities

- 1) Discussion and action, if any, regarding Commission participation in the Black History Parade in February
- 2) Request for CPRC Presentation at the Feb. 13 meeting of the Northside Improvement Association
- 3) Input from Outreach Coordinator on upcoming outreach events
- 4) Input from Commission Members on potential outreach events

Commissioner Johnson advised that Mr. Bill Howe had given contact information for the Black History Parade and Expo. He asked if anyone would be interested and available to staff a booth, which would be located right in front of City Hall.

Vice-Chair Roberts said she would be willing to participate. Commissioners Jackson and Johnson said they would be willing, as did Chairman Santore.

Commissioner Adams said she would be willing to make a presentation to the Northside Improvement Association on February 13.

Commissioner Johnson reported on future events:

- February 2nd: NAACP Freedom Fund Dinner, Riverside Convention Center
- February 16th: Volunteer of the Year Dinner, Riverside Marriott Hotel
- February 28th: Preventing Bullying & Cyber-Bullying Seminar, Riverside Convention Center

OLD BUSINESS

CPRC Ad-hoc Committees

A) Policies, Procedures, & By-Laws

- 1) Committee Chair has no update at this time.

2011 Annual Report

Discussion and action, if any, on Draft No. 2 of the 2011 Annual Report

Committee Chair Roberts said the Committee should meet again before the February 8th Special Meeting.

Commissioner Rotker:

- Prefers commissioner names in the attendance table on the left rather than on top
- Pg. 12: problem with 2nd paragraph; would like to see the wording modified

- Pg. 20: why would last paragraph be deleted?
- Pg. 22: item should be deleted
- Pg. 27: Misconduct noted needs to be clarified

Committee Chair Roberts:

- Pg. 10: names on left
- Pg. 12: will discuss at committee meeting
- Pg. 15: lighten picture of Chairman Santore
- Pgs. 18 – 22: discuss at meeting
- Pg. 23: reposition text with big "T"
- Pg. 24: change "show" to "illustrate" in chart descriptions
- Put descriptions below charts
- Pg. 38: check dates on OIDs

Commissioner Jackson said she would give her working copy to Ms. Sherron

Commissioner Johnson:

- last sentence on Pg. 3 is repeated on the following page;
- Outreach list:
 - add car shows
 - define locations of 9/11 ceremonies;
 - add Riverside Women's Club;
 - check font sizes

Commissioner Adams said she likes Option 2 for the cover. She also likes the picture on Pg. 31.

Mr. Hauptmann thanked the Committee for all its work, noting that it has helped the Commission to get the report addressed in a timely manner.

NEW BUSINESS

Public Comment Instructions

Discussion and action, if any, regarding the public comment instructions noted on the CPRC Open Session agenda

Commissioner Rotker had asked to have this agenda item because he was concerned that members of the public might think they could speak more than once on an agenda item.

Ms. Sherron suggested inserting the words "per item" in the instructions.

Commissioner Rotker also said that speakers should note on the "Request to Speak" form whether they want to speak before or after a presentation.

Vice-Chair Roberts said that would make things too confusing.

Commissioner Adams said that the public needs to know they have the right to speak and that it doesn't matter when they speak. She also said that when someone speaks should not be limited to training or special presentations.

Commissioner Johnson agreed with Commissioner Adams noting that questions should be "green sheeted" to the Chair.

Commissioner Jackson said it should be established whether it is before or after and noted that people can speak better on an item after hearing the discussion.

Commissioner Rotker said that the privilege of speaking after had never been mentioned for other agenda items, only those with presentations. He had only wanted to make sure that members of the public wishing to speak during public comment could only speak once on an item. He said it would be too confusing to do anything else.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That public comment instructions be clear in advising the public they can choose to speak before or after a training presentation when completing a Request to Speak form, but cannot do both.	Rotker	Roberts	Rotker Roberts Santore Adams	Johnson Jackson	0
That speakers have the option to speak before or after discussion on any agenda item	Adams	Johnson	Johnson Roberts Santore Adams	Rotker Jackson	0

Chairman Santore asked that the Request to Speak form be changed accordingly.

Staff Report

Mr. Hauptmann advised that he would report quarterly on the Commission's budget. Non-personnel expenses for 2nd Quarter were reported as follows:

- Actual Expenses + General Fund Allocation Charges
 - October = \$6,485.40 (\$3,472.65 + \$3,012.75)
 - November = \$4,224.79 (\$1,212.04 + \$3,012.75)
 - December = \$4,667.59 (\$1,654.84 + \$3,012.75)
 - TOTAL for FY 11/12 2nd Qtr = \$15,377.78 (6,339.53 + 9,038.25)
- Professional Services balance was \$45,725.00 as of December 31, 2011.

After passing around a "pocket holder ID" that had been purchased for CPRC Investigator Mike Bumcrot, Mr. Hauptmann said he planned to order one for each commissioner, but wanted to verify that the women would be interested in them as the item slips over the pocket of a suit jacket or a shirt. Commissioners agreed they would each like to have a pocket holder ID.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

There were no comments.

Items for Future Commission Consideration

Commissioner Brandriff asked for information as to why certain items are redacted from the OID criminal casebooks, if there was any oversight of the person or people who do that, and if video redactions were arbitrary.

Adjournment

The Commission adjourned at 8:04 PM.

Respectfully submitted,

A handwritten signature in red ink, reading "Phoebe Sherron", is written over a horizontal line.

PHOEBE SHERRON
Sr. Office Specialist